

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1702.3.4.1 To permit a side yard setback of 5' in lieu of the required 10'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
This is the only location, I had to build a garage without causing someone else hardship.

This was build to keep my car, lawn mower and tools, out of the weather. The price of car today, I cannot buy one every year.  
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
John M. Miller  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner:  
2416 Jarsey Ave. 477-4238  
Address Phone No.  
Baltimore, Md. 21219  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State  
Name  
Address Phone No.  
Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of October 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 15th day of December 1981, at 10:15 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
S/S of Jarsey Ave., 40'  
E from centerline of Peck Ave.,  
(formerly Waszkiewicz Ave.)  
15th District : OF BALTIMORE COUNTY

JOHN M. MILLER, Petitioner : Case No. 82-138-A

## ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 20th day of November, 1981, a copy of the foregoing

Order was mailed to Mr. John M. Miller, 2416 Jarsey Avenue, Baltimore, Maryland 21219,

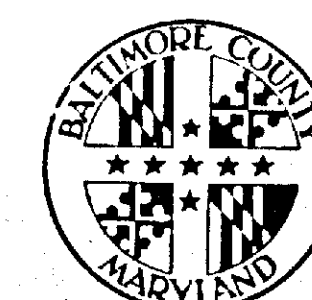
Petitioner.

John W. Hession, III

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

Mr. John M. Miller  
2416 Jarsey Avenue  
Baltimore, Md. 21219

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 20th day of October, 1981.

WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner John M. Miller

Petitioner's Attorney

Reviewed by Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond  
Zoning Commissioner  
TO: Norman E. Gerber, Director  
Office of Planning and Zoning  
FROM: Petition No. 82-138-A Item 72  
SUBJECT: Petition No. 82-138-A Item 72

Petition for Variance  
South side of Jarsey Avenue, 40 ft. East from centerline of Peck Avenue  
(formerly Waszkiewicz Avenue)  
Petitioner- John M. Miller

Fifteenth District

HEARING: Tuesday, December 15, 1981 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:ob

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 4, 1981

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. John M. Miller  
2416 Jarsey Avenue  
Baltimore, Maryland 21219

RE: Item No. 72  
Petitioner - John M. Miller  
Variance Petition

Dear Mr. Miller:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to legalize the setback of the existing garage, which was recently constructed, this hearing is required.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NEC:bec

Enclosures



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.  
DIRECTOR

November 9, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #72 (1981-1982)  
Property Owner: John M. Miller  
S/S Jarsey Ave. 40' from centerline of Peck Ave.  
Acres: 100/101 x 129/154 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

This property comprises Lots 64 and 65, Plat of Krakow, recorded W.P.C. 6, Folio 153.

### Highways:

Jarsey and Peck (formerly Waszkiewicz) Avenues, existing public roads, are proposed to be improved in the future as 24 and 30-foot closed section roadways on 40 and 50-foot rights-of-way, respectively, (Job Order 5-1-4241). A fillet area for sight distance is required at the intersection of these roads and a 4-foot wide temporary slope easement is required along the Jarsey Avenue frontage of this property, see Baltimore County Department of Public Works Bureau of Land Acquisition Drawing RW 80-053-2.

### Sediment Control:

Development of this property through strip grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

### Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #72 (1981-1982)  
Property Owner: John M. Miller  
Page 2  
November 9, 1981

### Water and Sanitary Sewer:

There are 8-inch public water mains and 8-inch public sanitary sewerage in Jarsey and Peck Avenues.

Very truly yours,

ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley  
Harris Shalowitz

A-NE Key Sheet  
25 SE 31 Pol. Sheet  
SE 7 E Topo  
111 Tax Map

ORDER RECEIVED FOR FILING

DATE December 18, 1981

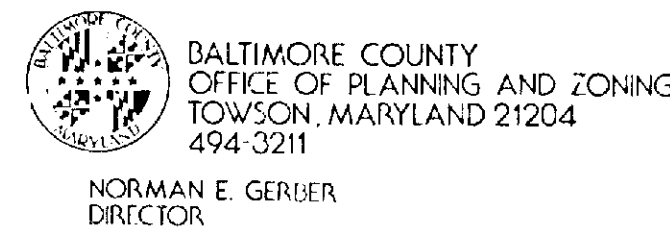
BY John W. Hess, III  
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the petitioner and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of December, 1981, that the herein Petition for Variance(s) to permit a side yard setback of five feet in lieu of the required ten feet, for the expressed purpose of completing construction of an attached garage, in accordance with the site plan filed herein, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the comments submitted by the Department of Permits and Licenses, dated November 13, 1981, and the Department of Public Works, dated November 9, 1981.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond  
Zoning Commissioner of  
Baltimore County



NORMAN E. GERBER  
DIRECTOR

December 1, 1981

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #72, Zoning Advisory Committee Meeting, October 20, 1981, are as follows:

Property Owner: John M. Miller  
Location: S/S Jarsey Avenue 40' from centerline of Peck Avenue  
Acres: 100/101 X 129/154  
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

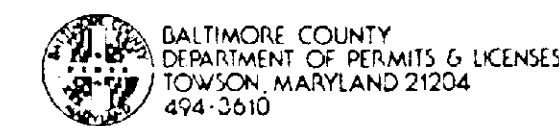
This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley  
John L. Wimbley  
Planner III  
Current Planning and Development

JLW:rh

12/15  
82-138



TED ZALESKI JR.  
DIRECTOR

November 13, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #72 Zoning Advisory Committee Meeting, October 20, 1981 are as follows:

Property Owner: John M. Miller  
Location: S/S Jarsey Avenue 40' from centerline of Peck Avenue  
Bleeting Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a side yard setback of 5' in lieu of the required 10'.

Acres: 100/101 X 129/154  
District: 15th

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.

X B. A building/ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

X E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 205 and the required construction classification of Table 211.

X I. Comments: Grade elevations are not shown.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.  
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham  
Charles E. Burnham, Chief  
Plans Review

CEB:rrj

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 12, 1981

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: October 20, 1981

RE: Item No: 70, 71, 72, 73  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no hearing on student population.

Very truly yours,

Wm. Nick Petrovich  
Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/bp

December 18, 1981

Mr. John M. Miller  
2416 Jarsey Avenue  
Baltimore, Maryland 21219

RE: Petition for Variance  
S/S of Jarsey Avenue, 40' E of the  
centerline of Peck Avenue - 15th  
Election District  
John M. Miller - Petitioner  
NO. 82-138-A (Item No. 72)

Dear Mr. Miller:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH/arl

Attachments

cc: John W. Hess, III, Esquire  
People's Counsel

Mr. John M. Miller  
2416 Jarsey Avenue  
Baltimore, Maryland 21219

November 19, 1981

### NOTICE OF HEARING

RE: S/S Jarsey Ave., 40' E from centerline of Peck Ave.  
Petition for Variance  
Case #82-138-A

TIME: 10:15 A.M.

DATE: Tuesday, December 15, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

### PETITION FOR VARIANCE

15th DISTRICT

ZONING: Petition for Variance

LOCATION: South Side of Jarsey Avenue, 40 ft. East from centerline of Peck Avenue (formerly Waszkiewicz Avenue)

DATE & TIME: Tuesday, December 15, 1981 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet.

The Zoning Regulation to be excepted as follows:

Section 1B02.3.G.1 - Minimum side yard setback in D.R. 5.5 Zone

All that parcel of land in the 15th District of Baltimore County.

Being the property of John M. Miller, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, December 15, 1981 at 10:15 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

### DESCRIPTION

Beginning at a point on the south side of Jarsey Avenue 40 feet from the centerline of Peck Avenue (formerly Waszkiewicz Avenue) and running the following courses: 100 feet along side of Jarsey Avenue, thence south westerly 129 feet -, thence south westerly 77 feet -, thence south westerly 24 feet -, thence north easterly 154 feet - to a point of beginning.



baltimore county  
department of traffic engineering  
TOWSON, MARYLAND 21204  
(301) 494-3550

STEPHEN E. COLLINS  
DIRECTOR

January 20, 1982

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: ZAC Meeting - October 20, 1981

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment  
for items number 70, 71, 72 and 73.

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineering Associate II

MSF/r1j

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 21st day of September, 1981.

Filing Fee \$ 5.00 Received: ☒ Check  
☐ Cash  
☐ Other

*William E. Hammond*  
William E. Hammond, Zoning Commissioner

Submitted by *John M. Miller*

Reviewed by *John M. Miller*

the Petition for assignment of a

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 11/16/81 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED *John M. Miller*

FOR Filing Fee for Case #82-138-A (Miller)

65 17

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
875-7310

PAUL H. REINCKE  
CHIEF

December 15, 1981

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: John M. Miller

Location: S/S Jarsey Avenue 40' from centerline of Peck Avenue

Item No.: 72

Zoning Agenda: Meeting of October 20, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY *John M. Miller* 12/17/81 Noted and Approved: *George W. Commodari*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/mb/cm

The Times

Middle River, Md., December 19

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 26th day of

December, 1981

Publisher.

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

December 3, 1981

Mr. John M. Miller  
2416 Jarsey Avenue  
Baltimore, Maryland 21219

RE: Petition for Variance  
S/S Jarsey Ave., 40' E from centerline of Peck Ave.  
Case No. 82-138-A Item No. 72

Dear Mr. Miller:

This is to advise you that \$52.63 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,  
*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:klr

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 12/17/81 ACCOUNT 01-662

AMOUNT \$52.63

RECEIVED BY *John M. Miller*

FOR Posting & Advertising of Case #82-138-A (Miller)

17

52634

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 16, 1981

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., once in each

of one successive weeks before the 26th day of

December, 1981, the first publication

appearing on the 16th day of December, 1981.

THE JEFFERSONIAN,

*William E. Hammond*  
Manager

Cost of Advertisement, \$

PETITION FOR VARIANCE  
15th DISTRICT

ZONING: Petition for Variance  
LOCATION: South Side of Jarsey Avenue, 40' East from centerline of Peck Avenue (formerly Wawkesque Avenue)  
DATE & TIME: Tuesday, December 15, 1981 at 10:15 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 5 feet in place of the required 10 feet in Section 1802.3 C1 - Minimum side yard setback in D.R. 5.5 Zone.

All that parcel of land in the 15th District of Baltimore County (formerly Wawkesque Avenue) and running the following course: 100 feet along side of Jarsey Avenue, thence south westerly 120 feet, thence south westerly 77 feet, thence southeasterly 24 feet, thence northeasterly 104 feet to a point of beginning.

Being the property of John M. Miller, as shown on plat plan filed with the Zoning Department.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By order of  
WILLIAM E. HAMMOND,  
Zoning Commissioner  
of Baltimore County

Noted

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <u>ST</u>	Revised Plans:				Change in outline or description Yes				
Previous case: <u>71-1-1</u>	Map #				No				

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 15 Date of Posting 11/29/81

Posted for: John M. Miller

Petitioner: John M. Miller

Location of property: S/S Jarsey Ave., 40' E from centerline of Peck Ave.

Location of Signs: Peck Ave. Jarsey Ave. Jarsey Ave. Jarsey Ave.

Remarks: See Jarsey Ave. Jarsey Ave. Jarsey Ave. Jarsey Ave.

Posted by: John M. Miller Signature

Date of return: 12/14/81

